

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**CALEB L. MCGILLVARY,**  
Plaintiff,

vs.

**NICHOLAS SCUTARI,** et al.,  
Defendants.

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No. 23-cv-22605-JMY

**ORDER**

**AND NOW**, this 13th day of February, 2025, it is hereby **ORDERED** that the *Motion to Dismiss First Amended Complaint* (ECF No. 88) filed by the Defendants Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C., Gerald H. Baker, Michael Galpern, Francisco J. Rodriguez and Jeffrey Rizika (collectively referred to as the “Javerbaum Wurgaft Defendants”) shall be **DENIED** as moot because the motion to dismiss is duplicative of a subsequent motion to dismiss that was filed by the Javerbaum Wurgaft Defendants (ECF No. 108) which was granted by the Court. (Order, ECF No. 316.) Pursuant to Court Order (ECF No. 316), all allegations against the Javerbaum Wurgaft Defendants were dismissed from the first Amended Complaint, and the Javerbaum Wurgaft Defendants were terminated from this action.

The Clerk of Court is **DIRECTED** to **IMMEDIATELY TRANSMIT** (mail) copies of this Order to *pro se* Plaintiff at the mailing address that he has identified on the docket for service of court papers.

**BY THE COURT:**

/s/ John Milton Younge  
Judge John Milton Younge